

MERIT M. OAKLEY.

MAY 7, 1884.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. HOLMES, from the Committee on Invalid Pensions, submitted the following

R E P O R T :

[To accompany bill H. R. 6927.]

The Committee on Invalid Pensions, to whom was referred bill H. R. 458, have had the same under consideration, and make the following report :

Merit M. Oakley enlisted as a private in Company K, Sixth Regiment Iowa Cavalry, on the 4th day of October, 1862, and was discharged October 17, 1865. In his original application, filed in the Pension Office, he alleges disability, caused by injury to back and spine in consequence of being thrown from his horse, which was shot under him at the battle of White Stone Hill, Dak., on the 3d day of September, 1883, the edge of the back part of the saddle striking him in the small of the back upon the falling of the horse and injuring his back and spine. Claimant was granted a pension by the Pension Office, at the rate of \$8 a month, in May, 1874.

Pensioner was dropped from the rolls on the ground that pensioner's disability was incurred before he entered the service. The special agent sent out, and upon whose report the claimant was dropped, presented a number of affidavits in which there was little or no positive evidence of any injury before entering the service, except hearsay. The allegation concerning claimant's prior disability was that he had been injured before entering the service by reason of a saw-head falling upon him and injuring his head and back. Yet, although the special examiner took the evidence of the person owning the saw-mill, where the accident was said to have occurred, and that of many others, none of the witnesses have personal knowledge of such an occurrence, and claimant testifies in the most unequivocal manner that he never received any such injury, and was well and able-bodied before entering the service, as also numerous other witnesses. Capt. John Logan, commander of his company, testifies substantially that in the engagement named his horse was shot under him and that he was injured as claimed. Thomas L. Bardwell, assistant surgeon of his regiment, testifies that he prescribed for him for injuries to the spine received in this engagement of the same day, giving him liniment to apply to the injured region. These and numerous other witnesses corroborate the statement that the injury was received as claimed by applicant. Of the claimant's disability at the present time there can be no question. Examining Surgeon W. M. Skinner rates his disability as total of the third degree. Claimant is

in very indigent circumstances, and is, with his wife, as your committee is advised, dependent upon a married daughter for support, who is also in reduced circumstances. Your committee, therefore, recommend that claimant be placed upon the pension-rolls at the rate of \$8 per month, to take effect from and after the passage of this act. Your committee herewith present a substitute for the original bill, H. R. 458, and recommend its passage.